

**UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD**

KATHERINE L. FLEMING,
Appellant,

DOCKET NUMBER
AT-1221-11-0460-M-1

v.

DEPARTMENT OF THE INTERIOR,
Agency.

DATE: November 23, 2016

THIS ORDER IS NONPRECEDENTIAL^{*}

Katherine L. Fleming, Homestead, Florida, pro se.

Vicki V. Mott, Esquire, Atlanta, Georgia, for the agency.

BEFORE

Susan Tsui Grundmann, Chairman
Mark A. Robbins, Member

REMAND ORDER

¶1 The U.S. Court of Appeals for the Federal Circuit remanded this case to the Board on August 30, 2016, granting the Board's August 11, 2016 motion to intervene and for remand. *Fleming v. Department of the Interior*, No. 16-1247,

^{*} A nonprecedential order is one that the Board has determined does not add significantly to the body of MSPB case law. Parties may cite nonprecedential orders, but such orders have no precedential value; the Board and administrative judges are not required to follow or distinguish them in any future decisions. In contrast, a precedential decision issued as an Opinion and Order has been identified by the Board as significantly contributing to the Board's case law. See [5 C.F.R. § 1201.117\(c\)](#).

slip op. (Fed. Cir. Aug. 30, 2016). The Board's reasons for requesting remand are set forth in its August 11, 2016 motion to the Court.

¶2 The Board hereby VACATES its September 22, 2015 Final Order in the underlying case, MSPB Docket No. AT-1221-11-0460-B-2. This case is REMANDED for further proceedings in accordance with the Court's August 30, 2016 order and the Board's August 11, 2016 motion. On remand, the case shall be adjudicated by an MSPB administrative judge from the Board's Office of Regional Operations.

FOR THE BOARD:

Jennifer Everling
Acting Clerk of the Board

Washington, D.C.